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6-2-2008

JUN 2 2008 mjb

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

ERIC WARE,

V. PLAINTIFF

TERRY L. McCann, et al,

DEFENDANTS

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

No. 08 CV 2788

Hon. Amy J. St. Eve.
JUDGE PRESIDING

PLAINTIFF'S MOTION
FOR RECONSIDERATION

Now come the Plaintiff, Eric Ware, pro se, and moves this Honorable Court to Reconsider the merits of his case pursuant to the Federal Rule of Civil Procedure, 59(e), and states as follows:

1. The Plaintiff previously filed suit under 42 U.S.C. § 1983 against the undersigned, claiming that he is under imminent danger and that a lack of proper medication could result him to having a heart attack or stroke, and the Honorable Court's decision based upon Plaintiff's three strikes is misplaced in this case because the Plaintiff has made a claim of physical injury under 28 U.S.C. 1915.

2. Since this Honorable court's review of Plaintiff's complaint, he has amended his complaint and has filed a motion for a preliminary injunction and has filed the relevant In Forma Pauperis Papers which are attached thereto.

WHEREFORE, the Plaintiff prays that this Honorable Court review his amended complaint, Motion for Preliminary Injunction, and In Forma Pauperis Motion, and allow him to proceed on his claims of immediate danger to his health.

RESPECTFULLY SUBMITTED:

Eric C. Lee
5/26/08

Date: 5/23/2008

Time: 2:27pm

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Dixon Correctional Center

Trust Fund

Inmate Transaction Statement

Page 1

HHW

REPORT CRITERIA - Date: 11/23/2007 thru End; Inmate: R32516; Active Status Only ? : No; Print Restrictions ? : Yes;
 Transaction Type: All Transaction Types; Print Furloughs / Restitutions ? : Yes; Include Inmate Totals ? : Yes; Print
 Balance Errors Only ? : No

Inmate: R32516 Ware, Eric

Housing Unit: DIX-NE-29-36

Date	Source	Transaction Type	Batch	Reference #	Description	Amount	Balance
						Beginning Balance:	0.00
04/10/08	Mail Room	04 Intake and Transfers In	101228	21013	Lawrence Correctional Center	-323.21	-323.21
04/16/08	Payroll	20 Payroll Adjustment	107115		P/R month of 03/2008	1.70	-321.51
04/23/08	Mail Room	04 Intake and Transfers In	114215	21180	Lawrence Correctional Center	3.40	-318.11
05/15/08	Payroll	20 Payroll Adjustment	136115		P/R month of 04/2008	10.00	-308.11

Total Inmate Funds: -308.11

Less Funds Held For Orders: .00

Less Funds Restricted: 44.91

Funds Available: -353.02

Total Furloughs: .00

Total Voluntary Restitutions: .00

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...MICHAEL W. DOBBINS
 CLERK, U.S. DISTRICT COURT.

INMATE TRUST FUND ACCOUNT

08CV2788

RESTRICTIONS

Invoice Date	Invoice Number	Type	Description	Vendor	Amount
03/31/2008	81830225	Disb	Legal Postage 3/31/08	99999 DOC: 523 Fund Inmate Reimburse	\$1.55
04/01/2008	81830405	Disb	Legal Postage 4/1/08	99999 DOC: 523 Fund Inmate Reimburse	\$0.97
04/03/2008	81830641	Disb	Legal Postage 4/3/08	99999 DOC: 523 Fund Inmate Reimburse	\$1.77
04/04/2008	81830748	Disb	Legal Postage 4/4/08	99999 DOC: 523 Fund Inmate Reimburse	\$1.16
04/07/2008	81830824	Disb	Legal Postage 4/7/08	99999 DOC: 523 Fund Inmate Reimburse	\$1.64
04/08/2008	84830857	Disb	o.a.e.v.s. copies-legal	2 DOC: 523 Fund Library	\$0.60
04/09/2008	81831147	Disb	Legal Postage 4/9/08	99999 DOC: 523 Fund Inmate Reimburse	\$2.84
04/14/2008	81831415	Disb	Legal Postage 4/14/08	99999 DOC: 523 Fund Inmate Reimburse	\$2.62
04/16/2008	81831790	Disb	Legal Postage 4/16/08	99999 DOC: 523 Fund Inmate Reimburse	\$0.75
04/16/2008	84831774	Disb	o.a.e.v.s. copies-legal	2 DOC: 523 Fund Library	\$7.00
04/21/2008	81832205	Disb	Legal Postage 4/21/08	99999 DOC: 523 Fund Inmate Reimburse	\$4.60
04/22/2008	81832423	Disb	Legal Postage-4/22/08	99999 DOC: 523 Fund Inmate Reimburse	\$0.41
04/22/2008	84832515	Disb	o.a.e.v.s. copies-legal	2 DOC: 523 Fund Library	\$10.50
04/25/2008	84832773	Disb	o.a.e.v.s. copies-legal	2 DOC: 523 Fund Library	\$0.50
04/28/2008	81832927	Disb	Legal Postage 4/28/08	99999 DOC: 523 Fund Inmate Reimburse	\$0.82
04/29/2008	81833156	Disb	Legal Postage-4/29/08	99999 DOC: 523 Fund Inmate Reimburse	\$0.97
04/29/2008	84833130	Disb	o.a.e.v.s. copies-legal	2 DOC: 523 Fund Library	\$0.60
05/19/2008	81835655	Disb	Legal Postage 5/19/08	99999 DOC: 523 Fund Inmate Reimburse	\$1.84
05/21/2008	81835955	Disb	Legal Postage 5/21/08	99999 DOC: 523 Fund Inmate Reimburse	\$1.34
05/22/2008	81836134	Disb	Legal Postage 5/22/08	99999 DOC: 523 Fund Inmate Reimburse	\$1.17
05/23/2008	81836244	Disb	Legal Postage 5/23/08	99999 DOC: 523 Fund Inmate Reimburse	\$1.26

Total Restrictions: \$44.91

Trust Fund Office

I declare under penalty of perjury that the above information is true and correct. I understand that pursuant to 28 U.S.C. § 1915(e)(2)(A), the court shall dismiss this case at any time if the court determines that my allegation of poverty is untrue.

Date: 5/19/08

Eric Ware

Signature of Applicant

Eric Ware

(Print Name)

NOTICE TO PRISONERS: A prisoner must also attach a statement certified by the appropriate institutional officer or officers showing all receipts, expenditures and balances during the last six months in the prisoner's prison or jail trust fund accounts. Because the law requires information as to such accounts covering a full six months before you have filed your lawsuit, you must attach a sheet covering transactions in your own account--prepared by each institution where you have been in custody during that six-month period--and you must also have the Certificate below completed by an authorized officer at each institution.

CERTIFICATE

(Incarcerated applicants only)

(To be completed by the institution of incarceration)

I certify that the applicant named herein, WARE, ERIC, I.D.# R32516, has the sum of \$ - 353.02 on account to his/her credit at (name of institution) DIXON CORRECTIONAL CENTER

I further certify that the applicant has the following securities to his/her credit: UNKNOWN. I further certify that during the past six months the applicant's average monthly deposit was \$ see ATTACHED (Add all deposits from all sources and then divide by number of months).

5/27/08
DATE

Nedra Chandler (sn)
SIGNATURE OF AUTHORIZED OFFICER

NEDRA CHANDLER
(Print name)

Trust Office

Trust Office